

Aaron Guckian
Chairman

Janine L. Burke
Executive Director



Scott Avedisian
Mayor

Warwick Sewer Authority
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BOARD MEETING MINUTES

Thursday, December 18, 2014, 5:30 p.m.
Warwick Sewer Authority Conference Room
125 Arthur W. Devine Boulevard
Warwick, RI 02886

| Board Members present: | Board Member not present: |
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| Aaron Guckian, Chairman | Gary Jarvis, Secretary |
| Peter Ginaitt | |
| Steve Sylven, P.E. | Guests: |
| Gary P. Marino | Dennis Setzko, P.E., AECOM |
| | Joe Boccadoro, P.E., AECOM |
| | Shaun Galligan, Lucas Milhaupt Warwick |
| Staff present: | |
| Janine L. Burke, Executive Director | John Revens, Revens, Revens & St. Pierre |
| Lynn F. Owens, Administrative Coordinator | Patrick Doyle, Superintendent |
| BettyAnne Rogers, Pretreatment Coordinator | Scott Goodinson, Asst. Superintendent |

- 1. Call to Order** At 5:30 p.m. Chairman Guckian called this meeting to order.
- 2. Pledge of Allegiance** Those in attendance rose to salute the flag and state the Pledge of Allegiance.
- 3. Approval of Minutes**
 - a. Approval of minutes from the regular meeting held November 20, 2014.

ACTION: Mr. Ginaitt moved approval of the minutes as submitted. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven and Marino voted in favor of the motion. Motion approved.
- 4. Industrial Pretreatment Program (IPP) Division**
 - a. Amendment of the Sewer Use Ordinance (WSA Regulations 10, 40, 54) to incorporate updated Industrial Pretreatment Program Local Limits
 - i. Review of Public Comments (Public Hearing held December 18, 2014, 2:00 p.m. – 3:00 p.m.)

Ms. Rogers stated the public hearing was held today, with a limited number of attendees present. She stated most of the comments focused on the timing of changes, when the new local limits would go into effect. Ms. Rogers stated following RIDEM's review (anticipated end of February), WSA will be given thirty to sixty days to implement the changes. She stated the only other comment came from the local Chamber of Commerce president, Lauren Slocum, questioning the potential impact on local businesses. Ms. Rogers stated in most cases, changes to the local limits are positive, reducing costs and helping companies avoid fines and penalties on minor infractions (the new regulations allow for greater flexibility). She stated cyanide, mercury and beryllium levels have been lowered, but WSA has no companies, aside from dentists, working with mercury. She stated there is one company using beryllium on a limited basis. She stated rarely do we see cyanide violations anymore.

Director Burke stated there were generally positive comments, especially on the pH limit change. Both permittees in attendance are currently adding acid to their effluent to lower the pH to remain in compliance with their permit. Ms. Rogers stated proposed changes to our local limits are a positive for these companies.

ii. Vote to Amend WSA Regulations 10, 40, 54

ACTION: Ms. Rogers asked that the Board approve the amendments to the Sewer Use Ordinance to include changes to local limits and a minor modification of the definition of Significant Non-Compliance, extending the reporting deadline out from 30 to 45 days, providing the permitted company a few extra weeks to submit a required report.

Mr. Ginaitt moved to amend WSA Regulations 10, 40 and 54 as noticed and discussed at the public hearing. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven and Marino voted in favor of the motion. Motion approved.

5. AWT-Phosphorus & Flood Control Project, Contract No. 91

a. AECOM to submit progress report and updated schedule

DISCUSSION/ACTION: Mr. Setzko and Mr. Boccadoro reviewed with the Board the AECOM Contract No. 91 project status:

This Progress Report summarizes activity between November 15, 2014 and December 12, 2014 on Contract 91: Phosphorus Removal Upgrade/Flood Control & Mitigation Project, and provides a four week look ahead.

Construction Progress

- ☐ Overall, the project is approximately 28% complete;
- ☐ Continued to provide construction administration services such as reviewing and processing RFIs, shop drawings, change order proposals and contractor applications for payment, and field observation and specially staff site visits for Building Code compliance;
- ☐ Held sixth progress meeting on December 5th with Hart and WSA;
- ☐ Held weekly coordination conference calls;
- ☐ Continued to evaluate floodwall alternatives;
- ☐ Met with RIDEM on 12/2/14 and attended RIDEM site visit on 12/9/14 to review wetlands impacts associated with floodwall alternatives;
- ☐ Phosphorus Building Work:
 - o Continued wall reinforcing and installation of wall forms;
 - o Continued pouring of wall concrete.
- ☐ Levee Work:
 - o Completed general fill and continued impervious fill on the earth portion of the levee;

Four Week Look Ahead-Phosphorus Building

- ☐ Continue wall reinforcement, formwork and concrete pours; initiate reinforcement of upper slab;
- ☐ Continue installation of pipe penetration sleeves and electrical conduits;
- ☐ Next progress meeting scheduled for January 9th.

Four Week Look Ahead-Levee

- ☐ Continue placing impervious fills;
- ☐ Continue evaluation and pricing of sheeting alternatives.

Mr. Marino asked about the financing of levee alternatives. Director Burke stated the original levee costs were less than the value of the grant. She stated WSA has requested an extension of the grant deadline due to extenuating circumstances. She reported that RIEMA is reviewing all aspects of the contract in terms of deadlines and funding.

Mr. Sylven asked if additional engineering costs are associated with changes to the contract. Mr. Setzko confirmed that there will be additional engineering effort and associated costs for the new design. Mr. Sylven asked if any work was done in the preliminary design phase that can be used at this point. He stated he is concerned about the timeline.

Mr. Setzko stated modeling of downstream impacts was done earlier and can be used in this additional effort. He stated they would not be starting from square one. Director Burke stated an updated USGS river model is available and was provided to the WSA.

Director Burke stated WSA will discuss this matter further and bring to the Board any new scope of services for the revised plan once defined. Mr. Setzko said they were talking to RIDEM to better define the plan going forward.

Mr. Ginaitt stated WSA needs assurance from FEMA that they will fund a new plan for the levee. He stressed the importance of building an improved levee. Director Burke stated she awaits a response from FEMA.

Mr. Revens stated it was his understanding the WSA is not conceding or agreeing or acknowledging in any way, shape or form that we're going to incur any additional expense for whatever changes have to be made to correct this problem. He stated that more information was needed. He stated his opinion that there are claims that can be made. He was not in favor of the WSA spending any more of our money or federal money to correct this problem.

No other comments or questions were presented.

- b.** Change Order No. 4a: Modification to Bid Item No. 8 (installation of vinyl sheeting). Payments for time and materials versus unit prices (no net change in contract price). Memos distributed via email 12-18-14.

ACTION: Director Burke stated when we started having problems with the vinyl sheeting, we began monitoring the contractor's time and use of materials. She stated the change order before the Board is related to those costs. She stated current contract Bid Item No. 8 is for unit pricing of vinyl sheeting installed; she explained that WSA can't use unit prices to compute payments for the contractor's work to date because there was nothing installed intact. Director Burke recommended a technical amendment to Contract No. 91 to change that bid item from unit pricing to time and materials, to allow WSA to pay the contractor for the expenses they incurred.

Director Burke stated this proposed change order doesn't change the overall price of the contract; it changes the method of payment from unit to time and materials. She stated WSA has already made progress payments on the cost of the sheeting and some mobilization costs (approximately \$250,000). She stated another \$80,000 in credits from the vinyl sheeting supplier is expected. She stated if this technical change order is approved, then we'll submit a subsequent Change Order No. 4b, which would include all the credits to close out the line item. She stated once the new method of construction is determined, the parties will define that in the contract and assign a payment method.

Board members discussed the level of effort involved in the installation of the vinyl sheeting. Members noted that this is a significant change order request.

Chairman Guckian recommended this item be tabled to the next meeting, as legal counsel has not had an opportunity to review the documents and the members are not prepared to vote. The item will be considered at the January meeting. Director Burke offered to share additional Hart correspondence with the Board. Chairman Guckian instructed all to prepare and get more information for legal counsel's review and the Board's review next month.

- c. Change Order No. 6: Modify sludge grinder piping located in the Solids Handling building, to include installation of bypass piping for use during grinder maintenance. \$13,198.87.

ACTION: Director Burke stated this change will facilitate maintenance of the grinder pump, and is at WSA staff's request.

Superintendent Doyle confirmed that this is a piping modification. Mr. Setzko stated this gives WSA more options for removing sludge.

Mr. Ginaitt moved approval of the change order. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven and Marino voted in favor of the motion. Motion approved.

6. Construction Division

- a. Governor Francis Phase III Sewer Project: progress report included in agenda packets. No discussion.
- b. O'Donnell Hill Sewer Project: progress report included in agenda packets.

Director Burke stated she is in the process of setting up a meeting with Garofalo & Associates. Mr. Marino plans to sit in on the meeting.

7. Administrative Items

- a. Director's Report
 - i. Financial Report: Monthly budget report is in good order.
 - ii. Administrative Schedule

Director Burke stated the website content is now being updated weekly. She stated WSA is planning to make the site more customer friendly, including adding the historical data (which may require reformatting).

Director Burke will appear before the City Council on January 12th to present her quarterly report.

b. Chairman's Report

Chairman Guckian suggested WSA reach out to the new Council member to introduce her to WSA. He asked if, with the price of fuel going down, there are any small projects that can get accomplished while asphalt prices remain low, and that staff look into that possibility.

8. Consent Agenda – Correspondence

- a. NEWEA to WSA Director Janine L. Burke: Alfred E. Peloquin Award – Rhode Island (10-24-14)
- b. Mayoral Citation to WSA: 1000 days without a lost-work injury (10-31-14)
- c. USEDA to WSA: Amendment to Financial Assistance Award (11-17-14)
- d. WSA 2015 Annual Notice of Meetings (11-21-14)
- e. Assessment Deferment Application: Plat 364 Lot 417 (11-25-14)
- f. Assessment Deferment Application: Plat 364 Lot 210 (12-1-14)
- g. WSA Financial Report to City Council (12-2-14)
- h. WSA Monthly report to Mayor Avedisian (12-12-14)

ACTION: Mr. Ginaitt moved to accept the consent agenda. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven and Marino voted in favor of the motion. Motion approved.

9. Drainlayer Consent Agenda – 2015 license renewals

- a. Rick Nunes Construction, 1 Country Lane, Hope (11-25-14)
- b. Michael Susi, Armando Ricci & Sons, Inc., 289 Borden Avenue, Johnston (12-1-14)
- c. John T. Kirby, 132 Shamrock Drive, Warwick (12-1-14)
- d. Cardi Corporation, 400 Lincoln Avenue, Warwick (12-9-14)
- e. Rhode Island Septic Services, 315 Nooseneck Hill Rd., Exeter (12-10-14)
- f. Bairos Construction, 813 County Street, Seekonk, MA (12-12-14)

ACTION: Director Burke confirmed that all drainlayers are in good standing. Mr. Ginaitt moved to accept the drainlayer consent agenda. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven and Marino voted in favor of the motion. Motion approved.

10. New Business

Introduction of new business to be docketed for an upcoming meeting or to be referred to the executive director or legal counsel for comment.

No new business introduced.

11. Old Business

- a. Modifications to Septage Hauling Regulations
- b. Bayside I-III Sewer Project: Amendment to GRA contract/design services
- c. Sewer Assessment Deferment Policy (6-27-13)
- d. Sewer Assessment Deferment: Plat 332 Lot 483 (11-20-13)
- e. Financial review of sewer assessment structure, examination of various methodologies, B & E Consulting, LLC: not to exceed \$6,800.00 (6-19-14)
- f. Project management for sewer construction (7-24-14)
ACTION: No discussion; no action taken.

12. PUBLIC COMMENT PERIOD: No members of the public in attendance to comment.

13. Adjournment

Mr. Ginaitt moved to adjourn this meeting. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven and Marino voted in favor of the motion. Motion approved.

At 6:06 p.m. this meeting ended.

Gary C. Jarvis, WSA Secretary

Date of Approval

“Minutes are recorded pursuant to the Rhode Island General Laws § 42-46-7 for the purpose of capturing all general information relevant to the meeting. For a more comprehensive assessment of minutes, audio files shall be archived with the Warwick Sewer Authority and available upon request.”